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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,856	04/13/2006	Elio Maroni	7202-99	1564
30448	7590	06/03/2008	EXAMINER	
AKERMAN SENTERFITT			LUO, DAVID S	
P.O. BOX 3188				
WEST PALM BEACH, FL 33402-3188			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/559,856	<b>Applicant(s)</b> MARIONI, ELIO
	<b>Examiner</b> DAVID S. LUO	<b>Art Unit</b> 4192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04/13/06.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2, 4-13 is/are rejected.
- 7) Claim(s) 3, 14,15 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 April 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/166/08)  
 Paper No(s)/Mail Date 12/7/05
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 4-13 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. As to claims 4-7, they are rejected because the “low number of drum revolutions” in the claims is indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
4. As to claims 8-13, they are rejected as they are dependent on the rejected claims 4 and 7.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1,2, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,240,586 to Joo published June 5, 2001.
7. As to claim 1, Joo teaches a Method for detecting unbalanced conditions of a rotating load driven by an electric motor in washing machines and similar household appliances including a rotably drum (Joo fig. 1: 9 and col. 1: line 29 “rotatory drum”) and wherein at least a

transient step is provided with angular speed variation of the rotably drum (Joo fig. 6: S2 "motor speed increase" which is used to change the angular speed of the rotably drum), characterized by the following steps: constantly monitoring and detecting the instantaneous current absorbed by the motor (Joo fig. 2: 120 "input current detecting means"); calculating in real time the value of an unbalanced mass on the basis of the variation of said current (Joo fig. 6: S6 "unbalanced mass determination") and starting from a predetermined reference obtained by experimental results and by applying a calculation formula representative of the kind of load imbalance (Joo col. 4:lines 18-30 where a method is taught for starting from a predetermined reference [ripple width] and determining the unbalanced mass); said current driving as a feedback signal said motor according to said value of unbalanced mass adjusting the angular revolution speed of the motor in real or continuous time (Joo col. 3: lines 17-19 "controlling the speed of motor according to the unbalanced mass calculated at the unbalanced mass calculating step").

8. As to claim 2, Joo teaches a method as claimed in claim 1, characterized in that it provides a comparison between the standard deviation of said current with a predetermined reference stored in a memory unit including for example an average value of this current or predetermined threshold value ( Joo fig. 6: S5 where a comparison is used between a predetermined reference current value in the program [memory] and the detected ripple current).

9. As to claim 4, Joo teaches a method as claimed in claim 1, characterized in that the measure of said unbalanced mass occurs at first by measuring said current variation with a drum revolutions (Joo col. 3: lines 17-19 "controlling the speed of motor according to the unbalanced mass calculated at the unbalanced mass calculating step").

***Allowable Subject Matter***

10. Claims 3, 14 and 15 are objected to as being dependent upon the rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.
11. Claims 5-13 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

***Conclusion***

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David S. Luo whose telephone number is (571)270-5251. The examiner can normally be reached on M-F 8AM-5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lincoln Donovan can be reached on (571)272-1988. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from

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a USPTO Customer Service Representative or access to the automated information system, call  
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Supervisory Patent Examiner, Art Unit 2837